IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

WP(C).No. 25489 of 2007(H)

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PETITIONER:

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C.D. SUNNY, S/O. DEVASSY,
AGED 80 YEARS, CHAZHOOR HOUSE, MANNUTHY,THRISSUR.

BY ADV. SRI.RANJITH XAVIER

RESPONDENT:

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THRISSUR MUNICIPAL CORPORATION,
REPRESENTED BY ITS SECRETARY, THRISSUR MUNICIPAL
OFFICE, M.O. ROAD, THRISSUR-1.

BY ADV.SRI.K.B.MOHANDAS, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**PIUS C. KURIAKOSE, J.**

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W.P.(C)No.25489 OF 2007

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DATED THIS THE 31ST OCTOBER, 2007

**J U D G M E N T**

Ext.P10 order is under challenge in this Writ Petition. Counsel for the petitioner submits that Ext.P10 has been passed by the Corporation in violation of an injunction order passed by the Munsiff's Court.

2. The learned Standing Counsel for the Corporation submits that the injunction order passed by the Munsiff's Court only restrains forcible eviction. Ext.P10 has been issued under due process of law. Ext.P10 will not amount to violation of civil court's order, so submits the Standing Counsel.

3. I do not propose to decide in these proceedings whether Ext.P10 has been issued by the Corporation in violation of the injunction order passed by the Munsiff's Court. According to me, the learned Munsiff himself will be competent to interpret his own order. I relegate the petitioner back to the Munsiff's Court where the suit is said to be pending. Considering the above direction, the interim order presently passed will continue till 16.11.2007.

The Writ Petition is disposed of as above.

tgl **(PIUS C.KURIAKOSE, JUDGE)**

tgl